IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WP(C).No. 22824 of 2007(P)

PETITIONER:

THRESIAMMA MATHEW, DEO(RETD,),
KUNNOOREPARAMPIL HOUSE, MEMURY P.O.,
KOTTAYAM DISTRICT.

BY ADV. SRI.M.RAMESH CHANDER
SRI.SIJI ANTONY

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
PRINCIPAL SECRETARY TO GENERAL EDUCATION
DEPARTMENT, TRIVANDRUM.

2. THE ACCOUNTANT GENERAL(A & E), KERALA,
TRIVANDRUM.

3. THE DIRECTOR OF PUBLIC INSTRUCTION,
TRIVANDRUM.

BY GOVT. PLEADER SRI. A.J. VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. BASHEER, J.

W.P.(C). NO. 22824 OF 2007

Dated this the 25th day of July, 2007

J U D G M E N T

Petitioner has retired from the Department of Education as District Educational Officer on March 31, 2007.

2. The issue involved in this writ petition relates to her claim for increment with effect from July 1, 2001. It is not in dispute that petitioner had exercised option and consequently her pay was also stepped up to that of her junior. The above aspect was pointed out by the authorities concerned including the final authority, the Government, as could be seen from Exts. P1, P2 and P5 orders. But the petitioner has preferred Ext.P6 review petition contending inter alia that while passing Ext.P5 order, the Government had not considered the question whether the G.O. No.69252/C3/06/G.Edn. dated 28.2.07 is inconsistent with Rule 28A Ruling I (d) of Part I KSR.

3. It is the case of the petitioner that the decision on Ext.P5 might have been different if the Government had kept in view this aspect of the matter. Anyhow, I do not propose to deal with any of the contentions raised by the petitioner at this stage in view of the

limited prayer made by the learned counsel for the petitioner at the Bar. He submits that petitioner will be satisfied if a direction is issued to respondent No.1 to take a decision on Ext.P6 expeditiously.

4. Learned Government Pleader submits that Ext.P6 review petition is not maintainable. Anyhow this is also a matter, which the Government may consider.

In the above facts and circumstances, the writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P6 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate within four months from the date of receipt of a copy of this judgment. Respondent No.1 shall ensure that petitioner is afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.1 for compliance.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007